



An  
Coimisiún  
Pleanála

## Inspector's Report

**ABP-322333-25**

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<b>Development</b>	Pre-application consultation - Proposed Ballina and Lough Talt Water Supply Zones Upgrade
<b>Location</b>	County Mayo and County Sligo
<b>Prospective Applicant</b>	Uisce Éireann
<b>Type of Application</b>	Pre-application consultation under section 37B of the Planning and Development Act 2000 (as amended)
<b>Planning Authority</b>	Mayo County Council
<b>Date of Site Inspection</b>	11 <sup>th</sup> August 2025
<b>Inspector</b>	Rachel Gleave O'Connor

## 1.0 Introduction

- 1.1. The Commission received a request in April 2025 from the prospective applicant, Uisce Éireann, to enter into pre-application consultations under Section 37B of the Planning and Development Act, 2000, as amended ('2000 Act'), in relation to the proposed Ballina and Lough Talt Water Supply Zones Upgrade, which span counties Mayo and Sligo.
- 1.2. The primary purpose of the pre-application consultation is to address the issue of whether or not the proposed development constitutes strategic infrastructure for the purposes of the 2000 Act.
- 1.3. A record of the meeting consultation undertaken is on file.
- 1.4. This report provides an overview of the proposed development, as well as details of legislative provisions and relevant precedent.

## 2.0 Site Location and Description

- 2.1. The project footprint spans two counties, namely Counties Mayo and Sligo and is located on several existing and proposed sites. These locations are described below:
  - Wherrew Raw Water Pumping Station is located in County Mayo on the northern lakeshore of Lough Conn. It is currently operational, transferring raw water from Lough Conn for treatment at Lisglennon Water Treatment Plant via existing dual rising mains before being sent to the potable water network. The site is accessible via the N59. Wherrew Water Treatment Plant (WTP) is situated to the east outside of the redline boundary. The subject site is predominantly covered by buildings and hardsurfaces, with some areas of grass, trees and hedgerows. The proposed route of the rising main passes through areas of fields, grasslands and roads.
  - Lisglennon Raw Water Pump Station and WTP is located in County Mayo c.3km south of Killala Town. Access to these sites is via the R314. The pump station is operational and conveys raw water to Lisglennon WTP approximately 1km to the north-east of the pump station site. The sites are occupied by infrastructure for the pump station with some areas covered by grass.

- The proposed treated water main route connecting Lisglennon WTP (Co. Mayo) to Lough Talt WTP (Co. Sligo) follows routes R294 and R314, with 25.5km traversing existing roads and access tracks.
- The proposed Booster Pump Station is situated off the R294 road to west of Bonniclonlon. The site is situated in an agricultural grassland area with some roadside hedgerows.
- The Bonniclonlon Treated Water Reservoir is situated in Co. Mayo off the R294 road through Bonniclonlon, with the proposed reservoir located adjacent to the existing reservoir.
- The proposed Windy Gap Break Pressure Tank site is situated in Co. Sligo and is accessed off the R294 road which leads to a wind farm.
- The existing Lough Talt WTP is situated in Co. Sligo and is accessed via the R294. The site is occupied by infrastructure with some grass areas. Surrounding the site are agricultural fields and a small number of one-off houses.

### 3.0 Proposed Development

3.1. A summary of the proposed development is set out below:

- Wherrew Raw Water Pump Station (Co. Mayo) – Existing Site - The existing intake structure and pump station are proposed to be retained, with upgrades to be completed to improve operational performance.
- Wherrew Raw Water Pump Station to Lisglennon Raw Water Pump Station (both in Co. Mayo) Raw Water Rising Main– Existing Pipeline Corridor – This existing pipeline is part of the water supply scheme however no works are envisaged here.
- Lisglennon Raw Water Pump Station (Co. Mayo) – Existing Site -Upgrade of the existing pumps and associated civil, structural, mechanical, electrical, control and instrumentation works required.
- Lisglennon Raw Water Pump Station to Lisglennon Water Treatment Plant (both in Co. Mayo) Raw Water Rising Main – Proposed New Pipeline within

an Existing Corridor - Provision of a new one (1) kilometre pipeline between these sites as well as preservation of the existing pipeline to facilitate maintenance works on the proposed new pipeline.

- Lisglennon Water Treatment Plant (Co. Mayo) – Existing Site - Expansion of water treatment capacity will be required at the Lisglennon WTP site, inclusive of all associated process infrastructure in addition to a new storage reservoir at the site.
- Lisglennon Water Treatment Plant (Co. Mayo) to Lough Talt Water Treatment Plant (Co. Sligo) Treated Water Trunk Main – Proposed New Pipeline on an Existing Pipeline Corridor for most of the way up to Ballina. – An upgraded treated water trunk main network (c. 29.5 km length) will be required between the Lisglennon WTP and Lough Talt WTP sites, via Ballina town. Treated water will gravitate from Lisglennon WTP to Ballina and onwards towards Bonniclon where it will then be pumped to Lough Talt WTP.
- Bonniclon (Co. Mayo) Booster Pump Station – Proposed New Site - Proposed new booster pump station on the treated water trunk main including associated civil, structural, mechanical, electrical, control and instrumentation works.
- Bonniclon Treated Water Reservoir (Co. Mayo) – Existing Site - Supplementing the existing treated water storage capacity at Bonniclon Town with a new treated water reservoir.
- Windy Gap Break Pressure Tank (Co. Sligo) – Proposed New Site - Proposed new break pressure tank on the treated water trunk main between Bonniclon Booster Pump Station and Lough Talt Water Treatment Plant including associated civil, structural, mechanical, electrical, control and instrumentation works.
- Lough Talt Water Treatment Plant (Co. Sligo) - Existing Site - Works will be carried out at the existing Lough Talt WTP site, which upon delivery of the proposed project, will cease abstraction from Lough Talt. Storage and chemical dosing equipment at the existing Lough Talt WTP will be retained to ensure minimal impact to the existing potable water network.

## 4.0 Prospective Applicants Case

4.1. The applicant's submitted Planning Statement identifies that the Water Environment (Abstractions and Associated Impoundments) Act 2022, expands the classes of development within Part 3 (Environmental Infrastructure) of the Seventh Schedule of the Planning and Development Act, 2006, as amended, to include surface water abstractions, as follows:

"A groundwater abstraction, artificial groundwater recharge scheme or a surface water abstraction where the annual volume of water abstracted or recharged is equivalent to or exceeds 2 million cubic meters."

4.2. The applicant states that the proposed development will see increased raw water abstraction from Lough Conn in County Mayo at the existing Wherrew Raw Water Intake Site. The proposed project would involve increasing the current raw water abstraction from Lough Conn (c. 20,100 m<sup>3</sup>/day) to 38,100 m<sup>3</sup> /day to serve Lough Talt RWSS along with forecast future demand in the Ballina RWSS area.

4.3. The applicant therefore asserts that as the proposed surface water abstraction at Lough Conn is in excess of 2 million cubic metres per annum, the project qualifies as a Strategic Infrastructure Development for the purposes of S.37A and S37B of the Act.

4.4. Furthermore, the applicant contends that the proposed development would be of strategic economic or social importance to the State or region in which it would be situated, and would contribute substantially to the fulfilment of objectives under the National Spatial Strategy or RSES as follows:

- The NPF identifies that the provision and operation of water services is a critical element of proper planning and sustainable development, with reference to NSO 9, NPO 63, NPO 2b and NPO 7.
- Key Regional Policy Objectives included RPO 8.12, RPO 8.15, RPO 8.17, RPO 8.18.

4.5. Lastly, the applicant identifies that the proposed development will be situated in two Counties, being County Mayo and County Sligo, having a significant effect upon both of these areas, and therefore on more than one planning authority.

## 5.0 Planning History

- 5.1. In 2009 Sligo County Council approved a Part 8 proposal for a new WTP, but this was not delivered, following a refusal of Planning Permission by both Sligo County Council (reg. ref. PL 15-227) and subsequently on appeal by An Bord Pleanála (reg. ref. PL 21.246218) in 2017, for the following reason:

“The proposed development of an upgraded water treatment plant is functionally dependent on the water supply from Lough Talt, which are integral elements of the overall Lough Talt Regional Water Supply Scheme. On the basis of the submissions and documentation on file, including the submissions of the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs, the report of the Heritage Officer, the reason for the determination of the planning authority, the report and recommendation of the Inspector, and in particular the revised Natura impact statement submitted in response to the request from An Bord Pleanála, the Board is not satisfied that the proposed development, in combination with the water abstraction on which it relies, would not adversely affect the integrity of the Lough Hoe Bog Special Area of Conservation (Site Code 000633) or of the River Moy Special Area of Conservation (Site Code 002298) in view of the conservation objectives for those Sites. Possible adverse effects on qualifying interests for these European Sites have been identified, which effects are linked to or may be exacerbated by water abstraction from the lake. Neither was the Board satisfied that the proposed mitigation measures would adequately protect against exacerbation of the effects of natural events. The conclusion of the revised Natura Impact Statement in Chapter 9, which is that adverse effects on the integrity of these European Sites cannot be excluded, is notable. Without certainty as to the absence of adverse effects on the integrity of these Sites, the Board is precluded from giving further consideration to a grant of planning permission in this instance.”

- 5.2. Subsequently, in 2018, the Lough Talt IROPI project was granted permission by Sligo County Council (reg. ref. PL 18/210).
- 5.3. The current project would not be an IROPI project, and the prospective applicant has indicated that a NIS will accompany the application to describe mitigation to prevent likely significant effects upon the integrity of designated European sites.

## 6.0 Pre-Application Consultation Meeting Held

6.1. Two pre-application meetings were held between An Coimisiún Pleanála and the prospective applicant. Full details of the meetings and matters discussed are contained in the Commission's records for the meetings.

6.2. The first pre-application consultation meeting took place on 28<sup>th</sup> July 2025. The principal matters arising related to:

- Environment reports and surveys undertaken;
- Consultation with relevant bodies;
- The route of proposed connections;
- Query regarding design flexibility;
- The quantum of abstraction proposed;
- The sensitivity of land uses;
- Queries regarding proposed substation;
- Queries regarding arrangements for sludge as a waste by product;
- Biodiversity net gain; and
- Queries regarding the need for derogation.

6.3. A second and final pre-application consultation meeting took place on the 3<sup>rd</sup> March 2026. The principal matters arising related to:

- Overview of the scheme, consultation and engagement, survey work, assessments and programme;
- Confirmation that formal design flexibility was not being sort at the time;
- Traffic effects and consultation with TII;
- Cumulative assessment;
- Consultation with NPWS;
- Discussion on the Wherrew Intake Works;
- Confirmation a derogation licence for bats would not be sort;

- Consideration of the previous works at Lough Talt;
- Discussion on excavated waste; and
- Clarification of application requirements.

6.4. By email dated 26<sup>th</sup> May 2026, the applicant requested that the pre-application process be concluded.

## 7.0 **Legislation**

### 7.1. **Planning and Development Act 2000, as amended**

7.2. Section 2(1) of the Planning and Development Act 2000, as amended ('the Act'), defines 'strategic infrastructure' as including, inter alia:

(a) any proposed development in respect of which a notice has been served under section 37B(4)(a),

7.3. Section 37A of the Act states that:

(1) An application for permission for any development specified in the Seventh Schedule (inserted by the Planning and Development (Strategic Infrastructure) Act 2006) shall, if the following condition is satisfied, be made to the Commission under section 37E and not to a planning authority.

(2) That condition is that, following consultations under section 37B, the Commission serves on the prospective applicant a notice in writing under that section stating that, in the opinion of the Commission, the proposed development would, if carried out, fall within one or more of the following paragraphs, namely—

(a) the development would be of strategic economic or social importance to the State or the region in which it would be situate,

(b) the development would contribute substantially to the fulfilment of any of the objectives in the National Planning Framework or in any regional spatial and economic strategy in force in respect of the area or areas in which it would be situate

(c) the development would have a significant effect on the area of more than one planning authority.

7.4. The current SID thresholds are set out within the 7th Schedule of the Planning and Development Act 2000, as amended. The relevant threshold for the proposed project is set out under Class 3 (Environmental Infrastructure), as follows: “A groundwater abstraction, artificial groundwater recharge scheme or a surface water abstraction, where the annual volume of water abstracted or recharged is equivalent to or exceeds 2 million cubic metres.”

#### 7.5. **Environmental Impact Assessment**

7.6. Section 37E(1) of the Planning and Development Act, 2000, as amended requires that an application for permission for development in respect of which a notice has been served under section 37B(4)(a) shall be made to the Commission and shall be accompanied by an environmental impact assessment report in respect of the proposed development. Therefore, the submission of an EIAR is mandatory for Seventh Schedule Development.

#### 7.7. **Appropriate Assessment**

7.8. The subject site is situated within the waterbody of Lough Conn, a designated European site. The nearest Natura 2000 sites are the River Moy SAC, Killala Bay/Moy Estuary SAC, Lough Hoe Bog SAC, Lough Conn and Lough Cullin SPA and Killala Bay/Moy Estuary SPA. The applicant intends to submit a Natura Impact Statement /Appropriate Assessment Screening Report

### 8.0 **Assessment**

#### 8.1. **Strategic Infrastructure**

8.2. Strategic Infrastructure Development is defined under the Seventh Schedule of the Planning and Development Act 2000 (as amended) for the purposes of sections 37A and 37B of the Act. Section 116(j) of The Water Environment (Abstractions and Associated Impoundments) Act 2022 amended the Planning and Development Act 2000 as follows:

‘(j) in the Seventh Schedule, by the substitution in paragraph 3 of “A groundwater abstraction, artificial groundwater recharge scheme or a surface water abstraction” for “A groundwater abstraction or artificial groundwater recharge scheme”.’

- 8.3. As such, the definition of Strategic Infrastructure as set out in the Seventh Schedule of the 2000 Act, includes under section 3 'Environmental Infrastructure', "A groundwater abstraction, artificial groundwater recharge scheme or a surface water abstraction, where the annual volume of water abstracted or recharged is equivalent to or exceeds 2 million cubic metres."
- 8.4. The proposal comprises raw water abstraction from a surface water body, Lough Conn in County Mayo, at the existing Wherrew Raw Water Intake Site. There are currently two Water Treat Plants, Wherrew and Lisglennon, which are supplied with raw water from the existing intake on the shore of Lough Conn. The proposed development would increase the current raw water abstraction from Lough Conn from c.20,100m<sup>3</sup>/day, to 38,100m<sup>3</sup>/day, to serve Lough Talt RWSS along with forecast future demand in the Ballina RWSS area. The annual abstraction at Lough Conn for the proposed development will exceed 2 million cubic metres and meets the definition under 'Environmental Infrastructure' in the Seventh Schedule of the 2000 Act.
- 8.5. Accordingly, under Section 37A(2), the proposed development must fall within one or more of the following conditions:
- 8.6. (a) the development would be of strategic economic or social importance to the State or the region in which it would be situate -
- 8.7. Of relevance to this is the National Planning Framework (NPF First Revision) and its National Strategic Outcomes (NSO) and Priorities of the National Development Plan, including no.9 'Sustainable Management of Environmental Resources' which identifies that water sources are critical to environmental and economic well-being into the future. NSO 9 states that the policy objectives and priorities of the Government regarding the provision of water services are as set out in the Water Services Policy Statement 2018-2025 and provided for under section 32A of the Water Services (No.2) Act 2013 (as amended). These objectives focus on quality, conservation and future proofing, with investment in public water services to improve public and environmental health standards and reach international benchmarks.
- 8.8. The Water Services Policy Statement 2018-2025 identifies the importance of water services to support anticipated population and economic growth in the State. The National Development Plan 2021-2030 identifies Strategic Investment Priorities for

water, including the delivering of significant infrastructure development projects to meet future economic, housing and population demands and delivery of nationwide water and wastewater capital projects listed in Irish Water's Capital Investment Plans. Uisce Éireann's Funding Plan 2025-2029 includes water treatment plants 'new and upgraded'.

- 8.8.1. Having regard to the strategic context and the details of the subject proposal outlined above, I am satisfied that the development would be of strategic economic and social importance to the state and the Region and would, therefore, comply with the condition set out in section 37A(2)(a) of the Act.
- 8.9. (b) the development would contribute substantially to the fulfilment of any of the objectives in the National Planning Framework (NPF) or any regional spatial and economic strategy (RSES) in force in respect of the area or areas in which it would be situate -
- 8.10. Of relevance to this is National Policy Objective (NPO) 92 which concerns the development of water resource and services infrastructure to support a healthy society, economic development requirements and a cleaner environment. NPO 5 recognises the regional role of Sligo to be supported in the RSES. The RSES 2020-2030 for the Northern & Western Regional Assembly, includes the following Regional Policy Objectives (RPOs) of relevance, RPO 8.12 concerning ensuring adequate infrastructure is in place to meet the demand of growth and development, with increased populations levels; RPO 8.15 supports investment for water services; RPO 8.17 concerns the provision of quality water services necessary for urban and rural economic development; and RPO 8.18 relates to protection and improvement of all waters.
- 8.10.1. Having regard to the objectives in the NPF and RSES, and the details of the subject proposal outlined above, I am satisfied that the development would contribute substantially to the fulfilment of the aforementioned objectives of the NPF and RSES, and would therefore comply with the condition set out in section 37A(2)(b).
- 8.11. (c) the development would have a significant effect on the area of more than one planning authority -

8.12. The proposed development will be situated in two Counties, being County Mayo and County Sligo, having a significant effect upon both of these areas, and therefore on more than one planning authority.

### 8.13. **Prescribed bodies**

8.13.1. In view of the scale, nature, and location of the proposed development, as described in this report, it is recommended that the prospective applicant should consult with the prescribed bodies listed in the attached Appendix 1 in respect of any future application for approval.

## 9.0 **Recommendation**

9.1. Based on the foregoing assessment, it can be concluded that the proposed development would exceed the threshold set out in the Seventh Schedule of the Planning and Development Act 2000, as amended, and therefore satisfies Section 37A(1) of the Act. It can also be concluded that the development is of strategic importance by reference to the requirements of Section 37A(2)(a), (b) and (c) of the Act.

9.2. I recommend that the Commission serve a notice on the prospective applicant, pursuant to Section 37(B)(4) of the Planning and Development Act 2000, as amended, stating that it is of the opinion that the proposed development which comprises the following:

- The proposed Ballina and Lough Talt Water Supply Zones Upgrade, comprised of both new infrastructure and upgrades to existing infrastructure provision.

9.3. Would constitute a strategic infrastructure development within the meaning of Section 37A of the Act for the reasons and considerations set out below.

## 10.0 **Reasons and Considerations**

10.1. Having regard to the size, scale and location of the proposed water supply project, and to the policy context, it is considered that the proposed development comprising the proposed Ballina and Lough Talt Water Supply Zones Upgrade in Co. Mayo and Co. Sligo, constitutes development that falls within the definition of Environmental

Infrastructure in Class 3 of the Seventh Schedule of the Planning and Development Act 2000, as amended, thereby satisfying the requirements set out in Section 37A(1) of the Act.

- 10.2. The proposed development is also considered to be of strategic importance by reference to the requirements of Section 37A(2)(a), 37A(2)(b) and 37A(2)(c) of the Planning and Development Act 2000, as amended.
- 10.3. An application for permission for the proposed development must therefore be made directly to An Coimisiún Pleanála under Section 37E of the Act.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.”

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Rachel Gleave O'Connor  
Senior Planning Inspector

2<sup>nd</sup> June 2026

## **Appendix 1 – Prescribed Bodies**

The following is a list of prescribed bodies considered relevant by the Commission:

- Department of Housing, Local Government and Heritage
- Minister of Environment and Climate & Communications
- Sligo County Council
- Mayo County Council
- The Northern and Western Regional Assembly
- The National Transport Authority
- Transport Infrastructure Ireland
- An Chomhairle Ealaíon (Arts Council)
- The Heritage Council
- Fáilte Ireland
- An Taisce
- Inland Fisheries Ireland
- Ireland West Airport
- Department of Agriculture, Food & Marine
- Department of Tourism, Culture, Arts, Gaeltacht, Sports and Media
- EPA
- HSE
- The Commission for Regulation of Utilities
- Office of Public Works

Further notifications should also be made, where deemed appropriate.